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Bob Kingman, Program Manager
Sierra Nevada Conservancy
11521 Blocker Drive, Suite 205
Auburn, CA 95603

Dear Mr. Kingman:

Thank you for the opportunity to review the draft Sierra Nevada Conservancy Program Guidelines and Grant Guidelines.

We think you did a great job in this initial draft. It is clear that these guidelines are well thought through and seem very reasonable and fair to potential applicants. In addition, we would like to thank the Sierra Nevada Conservancy staff for its willingness to be available to work with agencies and organizations before, during, and after the application process.

Below are a few comments about the current drafts guidelines, with some questions.

Program Guidelines

✧ Pg. 13. "The conservancy shall cooperate with and consult with the city or county where a grant is proposed for an interest in real property is proposed to be acquired." Question: What exactly does this mean? What type of consultation will the conservancy do with a city or county? While we think it's important that applicants cooperate and collaborate with local agencies to the greatest extent feasible, it may not be appropriate to obtain any sort of formalized support. We are concerned about the possibility that the local city or county would be given the right to make public decisions about potential private transactions, such as acquisitions. We encourage something in the guidelines that might require applicants to demonstrate local collaboration (including collaboration with appropriate federal, state or local agencies), but without the requirement for a Board Resolution or other document indicating permission or support from the applicable local jurisdiction. Appropriate documentation might include notification to a local city or county expressing the applicant's intent to apply for conservancy funds, information about project's compliance with local plans, etc.

✧ Pg. 13. "The terms under which the interest in real property is acquired shall be subject to the conservancy's approval." Question: What exactly does this mean? At what stage in the acquisition process must conservancy approval be granted? With what terms of the acquisition will the conservancy be concerned? Once we have greater insight into the implementation or intent of this requirement, we may want to offer additional comment or suggestions.



- Pg 16. In your discussion about identifying sub-regional and regional priorities, we are wondering how this information will be distributed to potential applicants. How often will regional and sub-regional priorities be revised?


Competitive Grant Program Guidelines

- Requirements: The Guidelines give a list of requirements for when grants are given to nonprofits and tribal organizations for land acquisition. These requirements include not exceeding fair market value, terms subject to conservancy approval, etc. My question is this: are the requirements different if the grant is going to a public agency? If so, I suggest language in the guidelines to make clear that these additional requirements are for nonprofits and tribal organizations only.

- Appendix D: packet requirements and checklist


In the case of a State agency, such as State Parks, what kind of authorizing resolution is required? There is not a "board" like there is with counties, nonprofits, etc. What sort of document, if any, would then be required of an agency like this? I suggest inserting language in the guidelines that says, "This requirement does not apply to state agencies without a governing board."

- Appendix D: packet requirements and checklist

 Appraisal: current guidelines require that we submit a copy of a real estate appraisal. As I'm sure you know, the timing of completing appraisals can be lengthy and we can easily imagine a scenario where an appraisal might not yet be done at the time of application. Our question is this: What if it is not done? Can applicants submit a letter from an appraiser with an estimated value, with full appraisal to be submitted at a later date? Perhaps as an alternative, you can require that completed appraisal copies be submitted before funding is released, but allow applicants to provide an estimated cost value at the time of application.

- Appendix D: packet requirements and checklist

CEQA: Is the conservancy willing to serve as the lead agency in cases where a nonprofit is the applicant? I strongly suggest that the conservancy be willing to serve in this capacity if need be. A public agency must work as the "lead agency" in filing CEQA document. In situations where a nonprofit is the applicant, this can be extremely difficult to obtain. There have been situations in which the local county has refused to serve as the lead agency because they have no real role in the project. In this scenario, a nonprofit is stuck in trying to get this proper documentation. Willingness of the conservancy to serve as the lead agency may be critical to a project.

-  Will applicants be required to post a sign on project sites acknowledging the conservancy? This seems to be the case with so many other grant programs, but I don't see that mentioned in the draft guidelines. If this is not a requirement, that is perhaps easier for applicants, but if indeed you do expect this, it should be clear in

the guidelines. Would the expense of signs be an eligible expense to be paid for by these grants?

- Can we charge expense related to escrow fees, environmental review, appraisals, staff time, etc? We would advise that the conservancy include a list of eligible expenses.
- What will be the Contract performance period? How long would an awardee have to spend grant funds? We suggest a minimum of 3 years to complete a project.

Thank you again for the opportunity to review and provide comment on these guidelines. We look forward to our continued partnership with you in protecting and enhancing the resources of the Sierra Nevada.

Sincerely,



Kathleen Farren
Regional Public Grants Manager



Dave Sutton
Director, Northern California Program